

REMARKS**A. Status of the Claims**

Claims 4, 5, and 7 are currently pending in this application. Claims 4, 5, and 7 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,601, 941 to Tuttle.

Applicants have amended claim 4, although Applicants realize that these amendments have been made after the issuance of a Final Office Action. Nevertheless, Applicants respectfully request the entry of these amendments because they believe that the amendments further clarify the invention and place the claim in better form for consideration upon appeal, pursuant to 37 C.F.R. §1.116.

More specifically, claim 4 has been amended as follows. First, the preamble to claim 4 has been amended to read, *inter alia*, “A method of electromagnetically screening a printed-circuit electronics card mounted on a metal substrate with a metal screening cover electrically connected to the metal substrate.” Support for this amendment is found at page 1, lines 4-6. Second, the body of claim 4 now contains the additional element that “the screening cover and the metal substrate together enclose the printed circuit electronics card.” Applicants respectfully assert that this particular amendment is not new matter and simply makes explicit what had been implicit in the claim. Furthermore, support for this amendment is found in the specification [see, for example, page 1, lines 4-12 and page 5, lines 10-29 of Applicants’ specification]. Finally, claim 4 has also been amended to recite, *inter alia*, “wherein the metal screening cover is positioned to be capable of electromagnetically screening the printed circuit electronics card.” This last amendment was made to address the matters of form raised by the Office Action. Applicants respectfully assert that no new matter has been added by these amendments.

B. Applicants' Claims Are Patentable Over Tuttle

Applicants respectfully traverse the rejections of claims 4, 5, and 7 as allegedly being unpatentable over Tuttle. Applicants believe that Tuttle fails to teach, disclose, or suggest all of the claim limitations of Applicants' claims, as set forth below. Accordingly, Applicants request reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b). [See MPEP § 2131].

1. Tuttle Fails to Teach, Disclose or Suggest Claim Elements Recited in Applicants' Claims

Tuttle is directed to an improved battery assembly. According to the Office Action,

Tuttle discloses a method of producing an assembly comprising: forming a gutter (recess 36) on a metal substrate (housing 12) by stamping (see col. 14, lines 14-18); mounting a printed electronics card (contract trace 50) onto a bottom surface of the metal substrate 12 and adjacent or next to the gutter (see Fig. 3); positioning a metal screening cover 14 having an edge including a tab (annular portion 30) so that the tab rests substantially within the gutter; and crimping the metal substrate to secure the tab of the metal screening cover onto the metal substrate (see col. 4, lines 43-47). [Office Action at page 2, ¶3].

However, Applicants respectfully assert that Tuttle fails to teach, disclose or suggest all of the elements of Applicants' claim 4, and in particular, that "the metal screening cover and the metal substrate together enclose the printed circuit electronics card".

Instead, the cover 14 of Tuttle appears to be appears to be no more than a lid for battery 10. According to Tuttle, "[t]he battery 10 includes a container comprising a housing 12 and a cover 14 (or lid)." The housing 12 and the cover 14 are fastened together to hold the contents of

the battery [e.g., see Figures 1 and 3], and do not “enclose the printed circuit electronics card” as recited in Applicants’ claim 4. Applicants do not see any teaching, express or otherwise, that cover 14 can be used to “enclose the printed circuit electronics card” as recited in Applicants’ claim 4. Accordingly, because not all of the claim elements of claim 4 are taught or suggested by Tuttle, Applicants respectfully request the reconsideration and withdrawal of the rejection of claim 4 under 35 U.S.C. §102(b).

For at least similar reasons, Applicants believe that dependent claims 5 and 7 are also patentable over Tuttle. Reconsideration and withdrawal of the rejection of these claims under 35 U.S.C. §102(b) are also respectfully requested.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

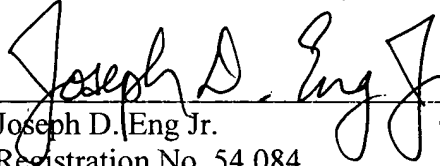
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1948-4631. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
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